

RECEIVED  
MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT  
SENTENCE BY A PERSON IN FEDERAL CUSTODY

3:07CV613-mht

<b>United States District Court</b>		District <b>MIDDLE DISTRICT OF ALABAMA</b>	
Name (under which you were convicted): <b>ERNEST PIPPIN</b>		Docket or Case No.: <b>3:06-CR-00150-MHT-SRW-ALL</b>	
Place of Confinement: <b>FEDERAL CORRECTIONAL INSTITUTE</b>		Prisoner No.: <b>#11970-002</b>	
<b>ASHLAND, KY</b>		Movant (include name under which convicted)	
<b>v. ERNEST PIPPIN</b>			

**MOTION**

1. (a) Name and location of court that entered the judgment of conviction you are challenging: \_\_\_\_\_  
US DISTRICT COURT MIDDLE DISTRICT OF ALABAMA
- (b) Criminal docket or case number (if you know): 3:06-CR-00150 MHT-SRW-ALL
2. (a) Date of the judgment of conviction (if you know): JUNE 20, 2005
- (b) Date of sentencing: OCT 12, 2006
3. Length of sentence: 15 YEARS (180 MONTHS)
4. Nature of crime (all counts): \_\_\_\_\_  
COUNT 1&2 CHILD PORNOGRAPHY COUNT 3 POSSESSION OF CHILD  
PORN COUNT 4 FIREARMS FELON POSSESSION
5. (a) What was your plea? (Check one)  
 (1) Not guilty ☐ (2) Guilty ☒ (3) Nolo contendere (no contest) ☐  
 (b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, what did you plead guilty to and what did you plead not guilty to? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
6. If you went to trial, what kind of trial did you have? (Check one) Jury ☐ Judge only ☒
7. Did you testify at a pretrial hearing, trial, or post-trial hearing? Yes ☐ No ☒

8. Did you appeal from the judgment of conviction?

Yes ☒

No ☐

9. If you did appeal, answer the following:

(a) Name of court: US DISTRICT COURT THE MIDDLE DISTRICT OF ALABAMA

(b) Docket or case number (if you know): 11 TH CIRCUIT CASE # 06-16247-E

(c) Result: DENIED

(d) Date of result (if you know): NOV 30, 2006

(e) Citation to the case (if you know): \_\_\_\_\_

(f) Grounds raised: I DID NOT KNOW WHAT GROUND TO RAISE I HAD NO  
COUNSEL TO ADVISE ME AND I ONLY HAD LESS THAN 72 HOURS  
COUNTING WEEKEND AND HOLIDAY TO GET APPEAL FILED BECAUSE  
OF THE DEAD LINE THAT I WAS NOT ADVISED OF BY ATTY WALTER  
NORTHCUTT

(g) Did you file a petition for certiorari in the United States Supreme Court?

Yes ☐ No ☒

If "Yes," answer the following:

(1) Docket or case number (if you know): \_\_\_\_\_

(2) Result: \_\_\_\_\_

(3) Date of result (if you know): \_\_\_\_\_

(4) Citation to the case (if you know): \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_

10. Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications concerning this judgment of conviction in any court?

Yes ☐ No ☒

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: \_\_\_\_\_

(2) Docket or case number (if you know): \_\_\_\_\_

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_

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(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐ No ☐

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): \_\_\_\_\_

(b) If you filed any second motion, petition, or application, give the same information:

(1) Name of court: \_\_\_\_\_

(2) Docket or case number (if you know): \_\_\_\_\_

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_

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(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐ No ☐

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): \_\_\_\_\_

(c) Did you appeal to a federal appellate court having jurisdiction over the action taken on your motion, petition, or application?

(1) First petition: Yes ☐ No ☐

(2) Second petition: Yes ☐ No ☐

(d) If you did not appeal from the action on any motion, petition, or application, explain briefly why you did not:

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12. For this motion, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**GROUND ONE:** POOR COUNCEL

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

ATTORNEY DID NOT FULLY EXPLAINED EACH ACTION AS IT HAPPENED HE  
WOULD WAIT TIL LAST MINUTE TELL ME TO DO THIS THEN HE WOULD  
CHANGE WHAT HE HAD SAID HE NEVER TRIED TO RAISE ANY ISSUES FOR MY  
DEFENCE JUST WENT WITH THE FLOW OF THE COURT HE WOULD NEVER COME  
TO THE JAIL IF I ASK ONLY IF WE HAD A COURT DATE WHEN I FILED THE  
MOTION TO EXTEND APPEAL WALTER WAS SUPPOSE TO FILE SOMETHING BUT  
HE NEVER DID WALTER WAS KICKING ME ON THE FOOT EVERYTIME I TRIED  
TO DEFEND MY RIGHTS BEFORE THE JUDGE BECAUSE WALTER WAS DOING  
NOTHING IN MY DEFENCE

(b) **Direct Appeal of Ground One:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

I WAS NOT FULLY AWARE OF EXACTLY HOW OR WHAT TO SAY  
I ASK WALTER TO FILE THE APPEAL BUT HE REFUSED SO I TRIED TO

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: \_\_\_\_\_

~~I DID NOT KNOW HOW OR WHAT OR WHERE TO START THE ATTY~~  
~~WALTER DID NOT TRY TO HELP ME AT ALL THE COURT WOULD NOT LET~~  
~~ME HAVE ANOTHER ATTY AND I HAVE NO MONEY TO HIRE ANY ONE ELSE~~

**GROUND TWO:** \_\_\_\_\_

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

**(b) Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

~~I HAD NO ONE TO TELL ME WHAT TO DO OR HOW TO GO ABOUT DOING~~  
~~ANYTHING ELSE~~

**(c) Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this

issue: I HAD NO MONEY FOR ANOTHER ATTY AND COURT WOULDN'T GIVE ME  
COUNSEL SO I DIDNOT KNOW WHAT ELSE TO DO**GROUND THREE: \_\_\_\_\_**

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

**(b) Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

**(c) Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: DID NOT HAVE COUNSEL TO ADVISE

**GROUND FOUR:** \_\_\_\_\_

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

\_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_



Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒ XX

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒ XX

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: DID NOT HAVE COUNCEL TO ADVISE

13. Is there any ground in this motion that you have not previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them: \_\_\_\_\_

14. Do you have any motion, petition, or appeal now pending (filed and not decided yet) in any court for the judgment you are challenging? Yes ☐ No ☒ XXX

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised. \_\_\_\_\_

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: WALTER NORTHCUTT

323 E. THACH AVENUE AUBURN AL 36874

(b) At arraignment and plea: SAME

(c) At trial: SAME

(d) At sentencing: SAME

(e) On appeal: NO ONE

(f) In any post-conviction proceeding: NONE

(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time? Yes ☒ No ☐

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes ☐ No ☒

(a) If so, give name and location of court that imposed the other sentence you will serve in the future: \_\_\_\_\_

(b) Give the date the other sentence was imposed: \_\_\_\_\_

(c) Give the length of the other sentence: \_\_\_\_\_

(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future? Yes ☐ No ☒

18. **TIMELINESS OF MOTION:** If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2255 does not bar your motion.\*

\* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of —

- (1) the date on which the judgment of conviction became final;
- (2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;
- (3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

Therefore, movant asks that the Court grant the following relief: A Reduction  
of sentence.

or any other relief to which movant may be entitled.

\_\_\_\_\_  
Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this

Motion Under 28 U.S.C. § 2255 was placed in the prison mailing system on \_\_\_\_\_  
6-26-07. (month, date, year).

Executed (signed) on 6-26-07 (date).

Ernest Pippin  
Signature of Movant

If the person signing is not movant, state relationship to movant and explain why movant is not signing this motion. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

West Pippin 11970-002  
CN Correctional Institute  
Box 6001  
Hend, Ky 41105

Clerk, United States District Court  
For the Middle District of Alabama  
P.O. Box 111  
Montgomery, AL 36101



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## UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

ERNEST PIPPIN

Case Number: 3:06cr150-MHT

(WO)

USM Number: 11970-002

Walter M. Northcutt

Defendant's Attorney

## THE DEFENDANT:

X pleaded guilty to count(s) 1-2, 3, and 4 of the Indictment filed on June 14, 2006

☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 USC 2252A(a)(1)	Possession of Child Pornography	3/16/2005	1-2
18 USC 2252A(a)(5)(B)	Possession of Child Pornography	3/16/2005	3
18 USC 922(g)	Felon in Possession of a Firearm	3/16/2005	4

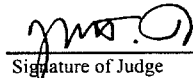
The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

October 12, 2006

Date of Imposition of Judgment



Signature of Judge

MYRON H. THOMPSON, UNITED STATES DISTRICT JUDGE

Name and Title of Judge

10/18/2006

Date

DEFENDANT: ERNEST PIPPIN  
CASE NUMBER: 2:06cr150-MHT

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

180 Months. This term consist of 180 Months on Counts 1-2, and 120 months on Count 3 and 84 Months on Count 4 to run concurrently with each other.

The court makes the following recommendations to the Bureau of Prisons:

The court recommends that the defendant have a risk assessment done prior to release to probation.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

- ☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_ .  
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before 2 p.m. on \_\_\_\_\_ .  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_ , with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: ERNEST PIPPIN  
CASE NUMBER: 2:06cr150-MHT

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

Life on Counts 1,2, and 3, and 3 Years on Count 4, all to run concurrently with each other.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



DEFENDANT: ERNEST PIPPIN  
CASE NUMBER: 2:06cr150-MHT

### SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall participate in a program approved by the United States Probation Office for the treatment and monitoring of sex offenders and shall contribute to the cost of any treatment based on ability to pay and availability of third party payments.
2. The defendant shall submit to a search of his person, residence, office and vehicle pursuant to the search policy of this court.
3. The defendant shall register with the State Sex Offender Registration Agency in any state where he resides, or employed, carry on a vocation or where he is a student.
4. The defendant is prohibited from owning or operating a computer while under supervision.
5. The defendant shall not possess or use a computer with access to any on-line computer service at any location (including employment). This includes any internet service provider, bulletin board system, or any other public or private computer network. The defendant shall not possess or use any data encryption technique or program.
6. The defendant shall submit to the probation officer and/or probation service representative conducting periodic unannounced examinations of his computer equipment (including any computer(s) in his residence) which may include retrieval and copying of all data from the computer and any internal or external peripherals to ensure compliance with his conditions of supervision and/or removal of such equipment for the purpose of conducting a more thorough inspection, and allow at the direction of the probation officer installation on his computer, at his expense, any hardware or software systems to monitor his computer use.
7. The defendant is prohibited from engaging in any occupation, business or profession that involves minor children or the use of a computer.

AO 245B

Case 3:06-cr-00150-MHT-SRW  
(Rev. 06/05) Judgment in a Criminal Case  
Sheet 5 — Criminal Monetary Penalties

Document 50 Filed 10/18/2006 Page 5 of 6

Judgment — Page 5 of 6DEFENDANT: ERNEST PIPPIN  
CASE NUMBER: 2:06cr150-MHT**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 400	\$	\$

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(I), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	\$ _____
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☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

DEFENDANT: ERNEST PIPPIN  
 CASE NUMBER: 2:06cr150-MHT

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☒ Lump sum payment of \$ 400.00 due immediately, balance due
- ☐ not later than \_\_\_\_\_, or  
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:  
 All criminal monetary penalty payments shall be made to the Clerk, United States District Court, Middle District of Alabama, Post Office Box 711, Montgomery, Alabama 36101.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☒ The defendant shall forfeit the defendant's interest in the following property to the United States:

One Charter Arms, Undercover, .38 caliber revolver, bearing serial number 542073;  
 One Llama, 380 caliber semi-automatic pistol, bearing serial number A89106;  
 One Excam, GT-27, .25 caliber semi-automatic pistol, bearing serial number M17052;  
 One Chamri, 12 gauge shotgun, bearing serial number 295778;  
 One Stevens, Model 940 shotgun; One Hercules, 410 gauge shotgun; and One Springfield Armory, Model 1903

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

AG, CLOSED, MHT-ClerkB

**U.S. District Court  
Alabama Middle District (Opelika)  
CRIMINAL DOCKET FOR CASE #: 3:06-cr-00150-MHT-SRW-1  
Internal Use Only**

Case title: USA v. Pippin

Date Filed: 06/14/2006

Assigned to: Honorable Myron H.  
Thompson  
Referred to: Honorable Susan Russ  
Walker

**Defendant**

**Ernest Pippin (1)**  
*TERMINATED: 10/18/2006*

represented by **Federal Defender**  
Federal Defenders  
Middle District of Alabama  
201 Monroe Street, Suite 1960  
Montgomery, AL 36104  
334-834-2099  
Fax: 834-0353  
Email: ECFCMALM@fd.org  
*TERMINATED: 07/12/2006*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Christine A. Freeman**  
Federal Defenders  
Middle District of Alabama  
201 Monroe Street, Suite 1960  
Montgomery, AL 36104  
334-834-2099  
Fax: 834-0353  
Email: christine\_freeman@fd.org  
*TERMINATED: 07/12/2006*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Walter M Northcutt**  
Walter M. Northcutt & Associates  
323 Thach Ave.

Auburn, AL 36830  
334-826-0944  
Fax: 334-826-0994  
Email: walter.northcutt@charter.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

18:2252A(a)(1) CHILD  
PORNOGRAPHY -- NMT \$250,000  
[\*]; NLT 15Y, NMT 40Y; B; NMT  
LIFE SUP REL; G-LNS; VWPA;  
\$100 SA; FORFEITURE  
ALLEGATION  
(1-2)

18:2252A(a)(5(B) POSSESSION OF  
CHILD -- NMT \$250,000; [\*]; NLT  
10Y, NMT 20Y; B; NMT LIFE SUP  
REL; G-LNS; VWPA; \$100 SA;  
FORFEITURE ALLEGATION  
(3)

18:922(g)(1) FIREARMS: FELON  
POSSESSION -- NMT \$250,000 [\*];  
NMT 10Y; B; NMT 3Y SUP REL;  
G-LNS; VWPA; \$100 SA;  
FORFEITURE ALLEGATION  
(4)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Highest Offense Level  
(Terminated)**

None

**Complaints**

None

**Disposition**

180 Mos Imp (conc w/Cts 3 and 4);  
Life Sup Rel (conc w/Cts 3 and 4);  
\$200 SA

120 Mos Imp (conc w/Cts 1-2 and  
4); Life Sup Rel (conc w/Cts 1-2 and  
4); \$100 SA

84 Mos Imp (conc w/Cts 1-2 and 3);  
3 Yrs Sup Rel (conc w/Cts 1-2 and  
3); \$100 SA

**Disposition****Disposition**

**Plaintiff**









**USA**

represented by **John T. Harmon**

U.S. Attorneys Office  
PO Box 197  
Montgomery, AL 36101-0197  
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Fax: 334-223-7560  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Susan R. Redmond**

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Email: susan.redmond@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/14/2006	 <u>1</u>	INDICTMENT as to Ernest Pippin (1) count(s) 1-2, 3, 4. (snc) (Entered: 06/15/2006)
06/14/2006		***Set/Clear Flags as to Ernest Pippin (snc, ) (Entered: 06/15/2006)
06/21/2006		Case unsealed as to Ernest Pippin pursuant to Notice of Arrest from USMS. (ag, ) (Entered: 06/21/2006)
06/21/2006	 <u>4</u>	MOTION for Detention Hearing by USA as to Ernest Pippin. (Redmond, Susan) (Entered: 06/21/2006)
06/21/2006		Arrest of Ernest Pippin (jct, ) (Entered: 06/21/2006)
06/21/2006	 <u>5</u>	CJA 23 Financial Affidavit by Ernest Pippin (jct, ) (Entered: 06/21/2006)
06/21/2006		ORAL MOTION to Appoint Counsel by Ernest Pippin. (jct, ) (Entered: 06/21/2006)
06/21/2006		ORDER (ORAL) granting Oral Motion to Appoint Counsel: Appointed Federal Defender as to Ernest Pippin (1). Signed by Judge Susan Russ Walker on 6/21/06. (jct, ) (Entered: 06/21/2006)
06/21/2006	 <u>6</u>	Minute Entry for proceedings held before Judge Susan Russ Walker :Arraignment as to Ernest Pippin (1) Count 1-2,3,4 held on 6/21/2006, Initial Appearance as to Ernest Pippin held on

		6/21/2006, Plea entered by Ernest Pippin (1) Not Guilty on counts 1-2,3,4. (Recording Time 2:46 - 2:56.) (jct, ) (Entered: 06/21/2006)
06/21/2006	<a href="#"><u>7</u></a>	Order of Temporary Detention Pending Hearing as to Ernest Pippin setting Detention Hearing for 6/22/2006 10:00 AM in Courtroom 5B before Honorable Susan Russ Walker. Signed by Judge Susan Russ Walker on 6/21/2006. (ag, ) (Entered: 06/21/2006)
06/22/2006	<a href="#"><u>8</u></a>	Minute Entry for proceedings held before Judge Susan Russ Walker :Detention Hearing as to Ernest Pippin held on 6/22/2006 (Recording Time 10:10 - 11:05.) (Attachments: # <u>1</u> Witness List) (jct, ) (Entered: 06/22/2006)
06/22/2006	<a href="#"><u>9</u></a>	ORDER ON ARRAIGNMENT as to Ernest Pippin setting Pretrial Conference for 7/17/2006 03:00 PM in Courtroom 5B before Honorable Susan Russ Walker ; Jury Selection and Trial set for 8/7/2006 10:00 AM in Courtroom 2FMJ before Honorable Myron H. Thompson ; Pretrial Motions due by 7/13/2006 ; Response to Motions due by 7/10/2006 ; Discovery due by 6/28/2006. Signed by Judge Susan Russ Walker on 6/22/2006. (ag, ) (Entered: 06/22/2006)
06/23/2006	<a href="#"><u>10</u></a>	ORDER OF DETENTION as to Ernest Pippin committing him to the custody of the Attorney General or his designated representative for confinement in a corrections facility seperate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal . Signed by Judge Susan Russ Walker on 6/23/2006. (ag, ) (Entered: 06/23/2006)
06/23/2006		***Motions terminated as to Ernest Pippin: <u>4</u> MOTION for Detention Hearing filed by USA per 6/23/06 Order (jct, ) (Entered: 07/17/2006)
06/27/2006	<a href="#"><u>11</u></a>	NOTICE OF ATTORNEY APPEARANCE: Christine A. Freeman appearing for Ernest Pippin (Freeman, Christine) (Entered: 06/27/2006)
06/27/2006	<a href="#"><u>12</u></a>	Arrest Warrant Returned Executed in case as to Ernest Pippin. Defendant arrested on 6/20/2006. (ag, ) (Entered: 06/27/2006)
07/10/2006	<a href="#"><u>13</u></a>	NOTICE OF ATTORNEY APPEARANCE: Walter M Northcutt appearing for Ernest Pippin (ag, ) (Entered: 07/10/2006)
07/11/2006	<a href="#"><u>14</u></a>	MOTION to Withdraw as Attorney by Christine A. Freeman. by Ernest Pippin. (Freeman, Christine) (Entered: 07/11/2006)
07/12/2006	<a href="#"><u>15</u></a>	ORDER granting <u>14</u> Motion to Withdraw as Attorney as to Ernest Pippin (1). Signed by Judge Susan Russ Walker on 6/12/2006. (ag, ) (Entered: 07/12/2006)
07/12/2006	<a href="#"><u>15</u></a>	Attorney update in case as to Ernest Pippin. Attorney Christine A. Freeman terminated pursuant to Order <u>15</u> . (ag, ) (Entered: 07/12/2006)



		07/12/2006)
07/12/2006	●	Attorney update in case as to Ernest Pippin. Attorney Federal Defender terminated per <u>15</u> Order. (ag, ) (Entered: 07/17/2006)
07/17/2006	● <u>16</u>	Minute Entry for proceedings held before Judge Susan Russ Walker :Pretrial Conference as to Ernest Pippin held on 7/17/2006 (Recording Time 3:44 - 3:45.) (jct, ) (Entered: 07/18/2006)
07/19/2006	● <u>17</u>	PRETRIAL CONFERENCE ORDER as to Ernest Pippin setting Jury Selection & Trial (ETT 1-1 1/2 Days) set for 8/7/2006 10:00 AM in Courtroom 2FMJ before Honorable Myron H. Thompson ; Voir Dire due by 7/31/2006 ; Proposed Jury Instructions due by 7/31/2006 ; Motions in Limine due by 7/31/2006 ; Notice of Intent to Change Plea due by noon on 7/26/2006. Signed by Judge Susan Russ Walker on 7/19/2006. (ag, ) (Entered: 07/19/2006)
07/19/2006	● <u>18</u>	NOTICE to RETAINED ATTORNEY sent to Walter Northcutt as to Ernest Pippin (ag, ) (Entered: 07/19/2006)
07/26/2006	● <u>19</u>	NOTICE OF INTENT TO CHANGE PLEA by Ernest Pippin (snc) (Entered: 07/26/2006)
07/27/2006	● <u>20</u>	ORDER as to Ernest Pippin setting Change of Plea Hearing for 7/31/2006 @ 03:00 PM in Courtroom 5B before Honorable Susan Russ Walker, directing the clerk to provide a court reporter for this proceeding, if the defendant is in custody, the US Marshal or the person having custody of the defendant shall produce him for this proceeding. Signed by Judge Susan Russ Walker on 7/27/2006. (ag, ) (Entered: 07/27/2006)
07/27/2006	● <u>21</u>	MOTION to Continue Plea Date by Ernest Pippin. (snc) (Entered: 07/27/2006)
07/28/2006	● <u>22</u>	NOTICE of Availability of Jury List and Juror Profiles for August 7, 2006, Criminal Jury Term before Judge Myron Thompson, together with Clothing Notice as to Ernest Pippin (ag, ) (Entered: 07/28/2006)
07/28/2006	● <u>23</u>	ORDER as to Ernest Pippin granting <u>21</u> MOTION to Continue and resetting Change of Plea Hearing now set for 7/31/06 @ 3:00 p.m to 8/3/2006 @ 12:45 PM in Courtroom 5B before Honorable Susan Russ Walker, directing that the clerk to provide a court reporter, if the defendant is in custody, the US Marshal or the person having custody of the defendant shall produce him for this proceeding . Signed by Judge Susan Russ Walker on 7/28/2006. (ag, ) Modified on 7/28/2006 to complete date (ag, ). Modified on 8/1/2006 to correct date to 8/3/06 (ag, ). (Entered: 07/28/2006)
07/31/2006	● <u>24</u>	Proposed Jury Instructions by USA as to Ernest Pippin (Redmond, Susan) (Entered: 07/31/2006)
07/31/2006	● <u>25</u>	Proposed Voir Dire by USA as to Ernest Pippin (Redmond, Susan) (Entered: 07/31/2006)



08/03/2006	●	Set/Reset Deadlines/Hearings as to Ernest Pippin: Change of Plea Hearing set for 8/3/2006 12:45 PM in Courtroom 5B before Honorable Susan Russ Walker. (ag, ) (Entered: 08/03/2006)
08/03/2006	● <u>26</u>	Consent to Enter Guilty Plea before U. S. Magistrate Judge as to Ernest Pippin (jct, ) (Entered: 08/03/2006)
08/03/2006	● <u>27</u>	PLEA AGREEMENT as to Ernest Pippin (jct, ) (Entered: 08/03/2006)
08/03/2006	●	ORAL ORDER accepting guilty plea and adjudicating defendant guilty as to Counts 1, 2, 3 & 4 of the Indictment as to Ernest Pippin . Signed by Judge Susan Russ Walker on 8/3/06. (jct, ) (Entered: 08/03/2006)
08/03/2006	● <u>28</u>	MOTION for Release from Custody pending sentencing by Ernest Pippin. (Attachments: # <u>1</u> Exhibits "A" - "D" (Affidavits)(jct, ) (Entered: 08/03/2006)
08/03/2006	●	ORAL ORDER denying <u>28</u> Motion for Release from Custody pending sentencing as to Ernest Pippin (1). Signed by Judge Susan Russ Walker on 8/3/06. (jct, ) (Entered: 08/03/2006)
08/03/2006	● <u>29</u>	Minute Entry for proceedings held before Judge Susan Russ Walker :Change of Plea Hearing as to Ernest Pippin held on 8/3/2006, Plea entered by Ernest Pippin (1) Guilty Count 1-2,3,4. (Court Reporter Jimmy Dickens.) (jct, ) (Entered: 08/03/2006)
08/07/2006	● <u>30</u>	MOTION for Forfeiture of Property ( <i>Motion for Preliminary Order of Forfeiture</i> ) by USA as to Ernest Pippin. (Attachments: # <u>1</u> Text of Proposed Order)(Harmon, John) (Entered: 08/07/2006)
08/09/2006		***Set/Clear Flags as to Ernest Pippin (ag, ) (Entered: 08/09/2006)
08/10/2006	● <u>31</u>	PRELIMINARY ORDER OF FORFEITURE as to Ernest Pippin granting <u>30</u> MOTION for Forfeiture of Property, forfeiting firearms as directed in order, and directing the clerk of court to forward two certified copies of this Preliminary Order to the United States Attorney's Office for the Middle District of Alabama . Signed by Judge Myron H. Thompson on 8/10/2006. (ag, ) (Entered: 08/10/2006)
08/16/2006	●	Terminate Trial Deadlines and Hearings as to Ernest Pippin: (ag, ) (Entered: 08/16/2006)
08/17/2006	● <u>32</u>	ORDER as to Ernest Pippin setting Sentencing for 10/12/2006 @ 10:00 AM in Courtroom 2FMJ before Honorable Myron H. Thompson, directing that counsel shall communicate in writing to the PO any objections to the PSR by 9/21/06, directing parties to be available for a conference with the PO on 9/22/06 @ 10:00 a.m, as outlined in order, and directing that any motion for downward departure must be filed before the conference. Signed by Judge Myron H. Thompson on 8/17/2006. (ag, ) (Entered: 08/17/2006)

08/18/2006	<a href="#"><u>33</u></a>	Petition (Motion) of Third Party to Claim Guns in Lieu of Forfeiture by Patti Tharpe as to Ernest Pippin. (Northcutt, Walter) Corrected PDF added on 8/22/2006 and entry corrected to correspond with pdf attached. (snc) (Entered: 08/18/2006)
08/18/2006	<a href="#"><u>34</u></a>	Petition (Motion) of Third Party to Claim Guns in Lieu of Forfeiture by Eugenia Pippin as to Ernest Pippin. (Northcutt, Walter). Duplicate attachment deleted on 8/22/2006 and entry corrected to correspond with pdf attached. (snc) (Entered: 08/18/2006)
08/21/2006	<a href="#"><u>35</u></a>	ORDER as to Ernest Pippin re <a href="#"><u>33</u></a> MOTION of Third Party to Claim Guns in Lieu of Forfeiture is set for submission, without oral argument, on 8/28/06, with all briefs due by said date. Signed by Judge Myron H. Thompson on 8/21/2006. (ag, ) (Entered: 08/21/2006)
08/21/2006	<a href="#"><u>36</u></a>	ORDER as to Ernest Pippin re <a href="#"><u>34</u></a> MOTION of Third Party to Claim Guns in Lieu of Forfeiture is set for submission, without oral argument, on 8/28/06, with all briefs due by said date. Signed by Judge Myron H. Thompson on 8/21/2006. (ag, ) (Entered: 08/21/2006)
08/22/2006	<a href="#"><u>37</u></a>	NOTICE of Deficiency re <a href="#"><u>33</u></a> MOTION for Forfeiture of Property, <a href="#"><u>34</u></a> MOTION for Forfeiture of Property (snc) (Entered: 08/22/2006)
08/22/2006	<a href="#"><u>38</u></a>	NOTICE of Correction re <a href="#"><u>33</u></a> Petition of Third Party to Claim Guns in Lieu of Forfeiture, <a href="#"><u>34</u></a> Petition of Third Party to Claim Guns in Lieu of Forfeiture: PDF and docket entry have been corrected. (snc) (Entered: 08/22/2006)
08/29/2006	<a href="#"><u>38</u></a>	MOTION to Continue <i>Submission Date</i> by USA as to Ernest Pippin. (Harmon, John) (Entered: 08/29/2006)
08/31/2006	<a href="#"><u>39</u></a>	ORDER as to Ernest Pippin (1) granting <a href="#"><u>38</u></a> MOTION to Continue <i>Submission Date</i> filed by USA, and (2) resetting submission of <a href="#"><u>33</u></a> and <a href="#"><u>34</u></a> third-party petitions to claim guns for 9/11/2006, with all briefs due by said date. Signed by Judge Myron H. Thompson on 8/31/06. (snc) (Entered: 08/31/2006)
09/11/2006	<a href="#"><u>40</u></a>	MOTION for Approval of Stipulation re <a href="#"><u>39</u></a> Order,, Terminate Motions,, Set Deadlines, by USA as to Ernest Pippin. (Attachments: # <a href="#"><u>1</u></a> Stipulation for Compromise Settlement)(Harmon, John) (Entered: 09/11/2006)
09/12/2006	<a href="#"><u>41</u></a>	ORDER granting <a href="#"><u>40</u></a> Motion for Approval of Stipulation and approving and adopting the stipulation as the order of the court; denying as moot <a href="#"><u>33</u></a> Motion for Forfeiture of Property and <a href="#"><u>34</u></a> Motion for Forfeiture of Property as to Ernest Pippin (1) . Signed by Judge Myron H. Thompson on 9/12/2006. (ag, ) (Entered: 09/12/2006)
09/14/2006	<a href="#"><u>42</u></a>	Final MOTION for Forfeiture of Property ( <i>Motion for Final Order of Forfeiture</i> ) by USA as to Ernest Pippin. (Attachments: # <a href="#"><u>1</u></a> Text of

		Proposed Order)(Harmon, John) (Entered: 09/14/2006)
09/19/2006	<a href="#"><u>43</u></a>	ORDER as to Ernest Pippin that <a href="#"><u>42</u></a> Final MOTION for Forfeiture of Property (Motion for Final Order of Forfeiture) is set for submission, without oral argument, on Sept. 25, 2006, with any responses due by said date. Signed by Judge Myron H. Thompson on 9/19/2006. (ag, ) (Entered: 09/19/2006)
09/26/2006	<a href="#"><u>44</u></a>	FINAL ORDER OF FORFEITURE as to Ernest Pippin (1)(terminating <a href="#"><u>42</u></a> Motion for Forfeiture of Property) directing forfeiture of property as further outlined in order and directing the Clerk to forward two certified copies of this order to the United States Attorney's Office. Signed by Judge Myron H. Thompson on 9/26/2006. (ag, ) (Entered: 09/26/2006)
09/28/2006	<a href="#"><u>45</u></a>	Objection to Pre-Sentence Report and MOTION for the court to consider additional factors for variance from sentencing guidelines by Ernest Pippin. (ag, ) (Entered: 09/28/2006)
09/29/2006	<a href="#"><u>46</u></a>	ORDER as to Ernest Pippin that the government is allowed until 10/6/06, to respond to objection to pre-sentence report and <a href="#"><u>45</u></a> MOTION for variance . Signed by Judge Myron H. Thompson on 9/29/2006. (ag, ) (Entered: 09/29/2006)
10/06/2006	<a href="#"><u>47</u></a>	RESPONSE TO ORDER TO SHOW CAUSE by USA as to Ernest Pippin (Redmond, Susan) (Entered: 10/06/2006)
10/10/2006	<a href="#"><u>48</u></a>	NOTICE OF HEARING as to Ernest Pippin Sentencing resetting from 10/12/06 at 10:00 AM to 10/12/2006 at 02:00 PM in Courtroom 2FMJ before Honorable Myron H. Thompson. (ag, ) (Entered: 10/10/2006)
10/12/2006	<a href="#"><u>49</u></a>	Minute Entry for Sentencing held before Judge Myron H. Thompson on 10/12/2006 as to Ernest Pippin. (Court Reporter Mitchell Reisner.) (ag, ) (Entered: 10/17/2006)
10/12/2006	<a href="#"><u>49</u></a>	ORAL ORDER as to Ernest Pippin accepting plea agreement and granting <a href="#"><u>45</u></a> MOTION for the court to consider additional factors for variance from sentencing guidelines filed by Ernest Pippin, . Entered by Judge Myron H. Thompson on 10/12/2006. (ag, ) (Entered: 10/17/2006)
10/12/2006	<a href="#"><u>49</u></a>	Oral MOTION that final order of forfeiture be made a part of the judgment by USA as to Ernest Pippin. (ag, ) (Entered: 10/17/2006)
10/12/2006	<a href="#"><u>49</u></a>	ORAL ORDER as to Ernest Pippin granting MOTION that final order of forfeiture be made a part of the judgment filed by USA, . Entered by Judge Myron H. Thompson on 10/12/2006. (ag, ) (Entered: 10/17/2006)
10/18/2006	<a href="#"><u>50</u></a>	JUDGMENT as to Ernest Pippin (1), Count(s) 1-2, 180 Mos Imp (conc w/Cts 3 and 4); Life Sup Rel (conc w/Cts 3 and 4); \$200 SA; Count(s) 3, 120 Mos Imp (conc w/Cts 1-2 and 4); Life Sup Rel

		(conc w/Cts 1-2 and 4); \$100 SA; Count(s) 4, 84 Mos Imp (conc w/Cts 1-2 and 3); 3 Yrs Sup Rel (conc w/Cts 1-2 and 3); \$100 SA . Signed by Judge Myron H. Thompson on 10/18/2006. (ag, ) (Entered: 10/19/2006)
10/18/2006		***Set/Clear Flags as to Ernest Pippin (ag, ) (Entered: 10/19/2006)
10/19/2006	<a href="#"><u>51</u></a>	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Ernest Pippin (ag, ) (Entered: 10/19/2006)
10/26/2006	<a href="#"><u>52</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Excam, GT-27 as to Ernest Pippin on 10/25/2006. (ag, ) (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>53</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Llama, . 380 Caliber Semi-Automatic Pistol as to Ernest Pippin on 10/25/2006. (ag, ) (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>54</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Charter Arms as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>55</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Charmi as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>56</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Hercules as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>57</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Springfield Armory as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>58</u></a>	Process Receipt and Return of Preliminary Order of Forfeiture on One Stevens Model 940 Shotgun as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>59</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Stevens, Model 940 Shotgun as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>60</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Springfield Armory, Model 1903 as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>61</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Hercules, 410 Gauge Shotgun as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>62</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Charmi, 12 Gauge Shotgun as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)



10/26/2006	<a href="#"><u>63</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Charter Arms, Undercover as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>64</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Llama,.380 Caliber Semi-Automatic Pistol as to Ernest Pippin on 10/25/2006. (ag, ) Modified on 11/3/2006 (ag, ). (Entered: 11/03/2006)
10/26/2006	<a href="#"><u>65</u></a>	Process Receipt and Return of Final Order of Forfeiture on One Excam, GT-27 as to Ernest Pippin on 10/25/2006. (ag, ) (Entered: 11/03/2006)
11/27/2006	<a href="#"><u>66</u></a>	MOTION for Extension of Time to File Notice of Appeal by Ernest Pippin. (ag, ) (Entered: 11/27/2006)
11/27/2006	<a href="#"><u>67</u></a>	OPINION and ORDER as to Ernest Pippin denying without prejudice <a href="#"><u>66</u></a> MOTION for Extension of Time to File filed by Ernest Pippin. Signed by Judge Myron H. Thompson on 11/27/2006. (ag, ) (Entered: 11/27/2006)
11/27/2006	<a href="#"><u>68</u></a>	NOTICE OF APPEAL by Ernest Pippin to the United States Court of Appeals for the Eleventh Circuit from the <a href="#"><u>50</u></a> Judgment, entered on October 18, 2006. Copies mailed (ydw, ) (Entered: 11/29/2006)
11/27/2006	<a href="#"><u>69</u></a>	MOTION for Appointment of Counsel by Ernest Pippin. (ydw, ) (Entered: 11/29/2006)
11/29/2006	<a href="#"><u>68</u></a>	Transmission of Notice of Appeal and Certified copy of Docket Sheet and Order as to Ernest Pippin to US Court of Appeals re <a href="#"><u>68</u></a> Notice of Appeal - Final Judgment (ydw, ) (Entered: 11/29/2006)
11/30/2006	<a href="#"><u>70</u></a>	ORDER denying <a href="#"><u>69</u></a> Motion for Appointment of Counsel (doc. no. 69) as to Ernest Pippin (1); Ernest Pippin already has an attorney, Hon. Walter M. Northcutt. Signed by Judge Myron H. Thompson on 11/30/06. (ydw, ) (Entered: 11/30/2006)
12/07/2006	<a href="#"><u>68</u></a>	USCA Case Number as to Ernest Pippin 06-16247-E for <a href="#"><u>68</u></a> Notice of Appeal - Final Judgment filed by Ernest Pippin. (ydw, ) (Entered: 12/08/2006)
02/06/2007	<a href="#"><u>71</u></a>	ORDER of USCA issued as MANDATE 2/5/07 (certified copy) as to Ernest Pippin re 06-16247-E, <a href="#"><u>68</u></a> Notice of Appeal - Final Judgment, that this appeal is DISMISSED, sua sponte, for lack of jurisdiction. Appellat's November 25, 2006, notice of appeal is untimely to contest his October 19, 2006, criminal judgment and sentence. Fed.R.App. 4(b)(1)(A)(i);Houston v. Lack,487 U.S.266,276,108 S.Ct.2379, 2385, 101 L.Ed.2d 245 (1988); United States v. Grant, 256 F.3d 1146, 1150 (11th Cir. 2001). No motion for reconsideration may be file unless it complies with the timing and other requirements of 11th Cir.R. 40-4 and all other applicable rules. Befor ANDERSON, BARKETT, and WILSON, Circuit Judges. BY THE COURT: (ydw, ) (Entered: 02/07/2007)

02/06/2007		***Appeal Terminated as to Ernest Pippin re 06-16247-E, <u>68</u> Notice of Appeal - Final Judgment filed by Ernest Pippin (ydw, ) (Entered: 02/07/2007)
03/02/2007	<u>72</u>	Judgment Returned Executed as to Ernest Pippin, defendant delivered to FCI Ashland, KY on 2/22/07. (ag, ) (Entered: 03/05/2007)